

Public Chapter 213

SENATE BILL NO. 1722

By Rochelle

Substituted for: House Bill No. 1640

By Beavers, Bone

AN ACT To amend Tennessee Code Annotated, Title 6, Chapter 2, to authorize the collection of a special court cost for each traffic citation in each municipality having a population of not less than five thousand three hundred eighty (5,380) nor more than five thousand three hundred ninety (5,390) according to the 1990 federal census or any subsequent federal census.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 6, Chapter 2, Part 2, is amended by adding the following new section:

(a) It is the intent and purpose of this section to authorize the collection of a special court cost for each summons, warrant, citation, presentment, or indictment which:

(1) Is filed and heard in a criminal court, general sessions court or municipal court;

(2) Involves behavior occurring within the corporate limits of any municipality to which this section applies that leads to the filing of charges for a traffic or criminal offense; and

(3) Involves enforcement by a municipal law enforcement officer.

(b) The special court cost is ten dollars (\$10) and shall be charged and collected in addition to other authorized court costs by the appropriate court clerk.

(c) The special court cost funds shall be collected by the clerks for each traffic or criminal offense which:

(1) Is enforced by a municipal law enforcement officer; and

(2) Involves conduct occurring within the corporate limits of any municipality to which this section may apply.

(d) The funds collected from this special court cost by the clerks shall be transferred to the city treasurer on an annual basis, and the treasurer shall establish a special fund for municipal traffic regulation and enforcement.

(e) All funds collected under this section shall be used for the sole purpose of traffic regulation and enforcement within the municipality.

(f) The provisions of this section shall in no manner modify or repeal other requirements to collect court costs under any other public or private act applicable to the county where such municipality is located.

(g)(1) The provisions of this section shall be applicable to any municipality having a population of not less than five thousand three hundred eighty (5,380) nor more than five thousand three hundred ninety (5,390) according to the 1990 federal census or any subsequent federal census.

(2) This section shall have no effect unless it is approved by a two-thirds (2/3) vote of any municipal legislative body to which it may apply.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.